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August 31, 2022

By ECF

Hon. Gabriel W. Gorenstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: In Re Application of Zouzar Bouka, 22-mc-00092-RA

Dear Judge Gorenstein:

This firm represents intervenors Symbion Power Services U.S., Inc., Symbion Power LLC, Symbion Power Holdings LLC, Symbion Power Africa, LLC, and Paul Hinks (“Intervenors”). We write, further to our June 30, 2022 letter concerning the failure of the Malagasy court system to “comport[] with notions of due process.” *John Deere Ltd. v. Sperry Corp.*, 754 F.2d 132, 138 (3d Cir. 1985) (emphasis added); ECF No. 30 at 2. The enclosed article, attached as Exhibit A and published on August 13, 2022, documents further evidence of (1) the persistent corruption in the Malagasy court system and (2) Petitioner Zouzar Bouka’s *modus operandi* of using his political connections to manufacture criminal prosecutions against foreign nationals as a means of extortion. *See* Ex. A at 2 (“A number of these cases have a common thread: a self-proclaimed “entrepreneur and visionary” named Zouzar Bouka coaxes Western companies to the country. Then he uses his political connections and the shady local courts to shake them down.”).

As set forth in Intervenors June 30th letter, Mr. Hinks is the latest victim of this fraud by Mr. Bouka and this Court should not enable his corruption by granting § 1782 discovery. At a minimum, this Court should hold a hearing where the corruption of Malagasy Courts and Mr. Bouka’s initiation of Mr. Hinks’s prosecution can be more fully explored with Mr. Bouka and Mr. Hinks testifying under oath.

Respectfully Submitted,

/s/

Richard D. Emery

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Enclosure

cc. All counsel of record